

Memo

To: Township Board, Residents
From: Holly Brandt, Clerk
Date: July 13, 2018
Re: Belle Terre Litigation – Milford Hills Properties/RPL of Michigan vs. Charter Township of Milford

Revised July Update:

In regard to Case No. 2017-162642-CZ, regarding the Milford Hills litigation, legal counsel for the Township filed the attached Notice of Taking Deposition Duces Tecum of Raymond LeDuc on July 11, 2018. The Notice indicates that legal counsel will depose Mr. LeDuc on August 14 in Bloomfield Hills. Although Township officials may be present at that event, the deposition is not a public meeting and is not open to public discussion.

Mr. LeDuc will also be required to produce the list of documents set forth in the attached Notice at that time. Depositions and document production are standard discovery procedures, and this matter is progressing at an expected pace.

Other than the Deposition Notice, no further pleadings have been filed by the parties since last reported by our office at the June 20, 2018 Township Board meeting.

Several additional pleadings were filed with Oakland County Circuit Court in regard to the Milford Hills litigation after our most recent summary was submitted to the Township for the Board's July meeting packet. Specifically, the following documents were filed and are attached:

- Defendant's Motion for First Adjournment of Scheduling Order Dates was filed by the Township's legal counsel and simply requests more time for discovery (i.e., document production, depositions, etc.). As an adjournment is within the Court's discretion, a hearing will be conducted on July 25, 2018 to allow the Court to consider this request. No prior

extensions of time have been requested, and this is not an uncommon request, so our office would not anticipate a denial.

- Re-Notice of Taking Deposition Duces Tecum of Donald Green, which is similar to the deposition notice for Ray LeDuc that was sent with our last update. This Notice indicates that legal counsel will depose Mr. Green on August 21 in Bloomfield Hills. Although other Township officials may be present at that event, the deposition is not a public meeting and is not open to public discussion. Mr. Green is also required to produce the list of documents set forth in the deposition notice.
- Notice of Taking Deposition Duces Tecum of Nick Lamako [Lomako], who is the primary planning consultant for the Charter Township of Milford, which is similar to the deposition notices for Mr. LeDuc and Mr. Green. This Notice indicates that legal counsel will depose Mr. Lomako on August 22 in Bloomfield Hills. Although Township officials may be present at that event, the deposition is not a public meeting and is not open to public discussion. Mr. Lomako is also required to produce the list of documents set forth in the deposition notice.